



April 14, 2025

VIA ECF

Hon. Margaret M. Garnett
United States Courthouse
40 Foley Square
New York, NY 10007

RE: Request for Alternate Service for Post-Judgement Discovery
Antus v. Frontrunner Technologies, USA, Inc. (1:23-cv-7058-JMF)

Dear Judge Garnett,

This firm represents Plaintiff Antus in the above-captioned action. I write to respectfully request that this Court allow for alternate service in this matter for a deposition and document subpoena for Mr. Nathan Elliot.

On April 3, 2025, this Court ordered Defendant Nathan Elliot to appear for an in-person post-judgment deposition regarding his assets and the assets of his companies. In an effort to extend professional courtesies to Mr. Elliot and his counsel *who are both located in Canada*, I reached out several times to Mr. Elliot's counsel, Barrister and Solicitor Mr. Stefan Juzkiw, and requested dates on which he and his client would be available to attend an in-person deposition at my offices in New York City. I have e-mailed, left voicemails, and even spoke to Mr. Juzkiw's assistant on multiple occasions who promised that Mr. Juzkiw would get back to me. Still, after 2 weeks of outreach, I have not heard from Mr. Juzkiw or Mr. Elliot and this Court's May 1 status update deadline is soon approaching.

Plaintiff has already expended great resources litigating this case and Mr. Elliot has shown all along that he will not comply with this court's orders. I have reason to believe that the business is no longer operating at the address currently listed on their website or any other public institution. In an effort to ensure that Mr. Elliot has no excuse for failing to show up to his deposition, I respectfully ask that this Court permit me to serve the deposition notice subpoenas in the following ways:

- 1) Via Email to Nathan Elliotts counsel, Stefan R. Juzkiw at stefan@juzkiw.com
- 2) Via Email to Defendant Nathan Elliot at nelliott@frontrunner-tech.com

Mr. Elliot has communicated with the plaintiff in this matter, with plaintiff's counsel (the undersigned), and with this court using that email address. Similarly, Mr. Stefan Juzkiw has confirmed in writing that he represents Mr. Elliot and has communicated with me, although minimally, through this email address. I ask the court to allow this alternative method of service because Mr. Juzkiw has failed to acknowledge any requests for dates of availability or acknowledge if he even still represents Mr. Elliot. If I were to send a subpoena for a deposition

and hire a court reporter, I believe that Mr. Elliot will not appear, and plaintiff will bear the burden of paying for his non-appearance. Accordingly, I would like to ensure that Mr. Elliot has cannot claim that he never received any deposition notice.

I thank the Court for its time and attention to this matter.


Respectfully Submitted,
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Attorneys for Plaintiff

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Request GRANTED in part: given the total history of this case and the extensive record of Defendant's non-compliance and efforts to evade participation in the matter, Plaintiff may serve the subpoenas described on Mr. Juzkiw and Mr. Elliot by email at the listed emails, but shall also serve the subpoenas by a mailing method that provides proof of delivery.

SO ORDERED. Dated April 22, 2025.


HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE.